SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 129 **Gangtok, Monday October 19, 1981**

LAW DEPARTMENT
GOVERNMENT OF SIKKIM

Notification No. 13/LD/81.

Dated Gangtok, the 16th October, 1981.

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 30th day of September, 1981, is hereby published for general information.

THE SIKKIM NATIONALISED TRANSPORT (PREVENTION OF TICKETLESS TRAVEL AND MISCELLANEOUS PROVISIONS) ACT 1981.

ACT NO. 10 OF 1981

AN

ACT

to provide for prevention of ticketless travel in, and carriage of goods by, the Sikkim Nationalised Transport and for matters connected therewith or incidential thereto.

Be it enacted by the Legislature of Sikkim in the Thirty-second Year of the Republic of India as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Sikkim Nationalised Transport (Prevention of Ticketless travel and Miscellaneous Provisions) Act, 1981.

(2) It extends to the whole of Sikkim.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(1) "carriage charges" means charges payable for carrying of goods by transport vehicle as may be determined by the Government from time to time;

(2) "carriage receipt" means the document issued by the Sikkim Transport acknowledging the receipt of goods for carriage by it;

(3) "consignee" in relation to goods carried by the Sikkim Transport means the person named in the carriage receipt as being the consignee of the goods covered by the receipt and includes the consignor where the goods are consigned in the name of the consignor or to self;

(4) "consignment" means the goods entrusted to the Sikkim Transport for carriage by it and includes part of a consignment;

(5) "consignor" means the person named in the carriage receipt as being the consignor by whom and on whose behalf goods covered by carriage receipt are entrusted to Sikkim Transport for carriage;

(6) "demurrage" means the charge levied for detention of any consignment after the expiry of the free time allowed for such detention;

(7) "endorsee" means the person in whose favour the consignment is made and in the case of successive endorsements, means the person in whose favour the last endorsement is made;

(8) "endorsement" in relation to a carriage receipt means signing of such receipt on the back or face thereof by the consignee or endorsee so as to entitle any other person to the possession thereof and to receive the goods covered by such receipt

(9) "employee" means an employee of the Sikkim Transport and includes an officer;

(10) "fare" means the amount determined by the Government for transporting a person from one place to another place;

(11) "forwarding note" means the document executed by a consignor or his agent;

(12) "goods' includes materials, commodities, articles and animals;

(13) "Government" means the State Government of Sikkim;

(14) "luggage" means the goods of a passenger either carried by him in his charge or entrusted by him to the Sikkim Transport for carriage by the later;

(15) "passenger" means the person who enters or remains in a transport vehicle with the intention of travelling from one place to another place;

(16) "prescribed" means prescribed by rules made under this Act;

(17) "transport vehicle" means the public service vehicle owned by or operated under the supervision of the Sikkim Transport for carriage or transportation of goods and passengers;

(18) "travel without ticket" means travelling without a proper ticket or with defaced ticket or with a ticket which has already been used;

(19) "Sikkim Transport" means the Sikkim Nationlised Transport and may include any transport undertaking owned and controlled by the Government;

(20) "wharfage" means the charge levied on goods for not removing from the premises of the Sikkim Transport after expiry of the free time allowed for such removal.

Prohibition against travelling without ticket.

3. No person shall enter or remain in any transport vehicle of the Sikkim Transport for the purpose of travelling therein as a passenger or travel in such transport vehicle as a passenger—

(a) without a proper ticket, or
(b) with a defaced ticket, or
(c) with a ticket which has been used earlier.

Prohibtion against carrying of goods without payment of carriage charges.

4. No person shall carry in or upon any transport vehicle any goods without obtaining therefor proper carriage receipt from any employee, conductor or driver of the Sikkim Transport.

Duty of conductor or employee of Sikkim Transport to issue tickets, etc.

5. (1) At any place where the Sikkim Transport has booking counter for issue of passenger ticket or carriage receipt, it shall be the duty of an employee of the Sikkim Transport to issue such passenger ticket or carriage receipt.

(2) At places where there is no booking counter referred to in sub-section (1), it shall be the duty of the driver or conductor to issue passenger ticket or the carriage receipt as the case may be.

Duty of passengers to obtain tickets.

6. It shall be the duty of a person to obtain ticket or carriage receipt from the booking counter of the Sikkim Transport before boarding a transport vehicle.

Prohibition against boarding of transport vehicle en-route.

7. No person shall board a transport vehicle after it has left the place declared as a Bus Stand or Bus Stop by the Government by a notification in the Official Gazette.

Exhibition of ticket and carriage receipt.

8. Any person who travels in a transport vehicle shall, whenever required by an employee of the Sikkim Transport not below the rank of a conductor or any other person not below the rank of a Sub-inspector of police specially authorised by the State Government in this behalf, present his ticket or the carriage receipt to such employee or other person for examination.

Penalty for carrying goods without carriage receipt.

9. (1) Any person who carries or causes to be carried goods by a transport vehicle of the Sikkim Transport without payment of carriage charges or makes a false declaration in relation to the weight of the goods shall be punishble with imprisonment for a term which may extend to one month or with fine which may extend to two hundred and fifty rupees or with both and shall also be liable to pay the excess charge specified in sub-section (2) in additional to the actual carriage charges.

(2) The excess charge referred to in sub-section (1) shall be such not exceeding rupees two per kilogramme of the goods carried as may be **prescribed** or rupees one hundred, whichever is more.

Penalty for ticketless travel.

10. (1) Any person who travels in a transport vehicle without having a proper ticket or having alighted therefrom fails or refuses to present his ticket for examination on requisition shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to two hundred and fifty rupees or with both and shall also be liable to pay the excess charge specified in sub-section (2), in addition to the actual fare, for the distance which he has travelled, or where there is any doubt as to the stage from which he started, the fare from the stage from which the transport vehicle originally started, or from the place, if any, where the tickets were last examined, to the place where he was detected to be travelling without ticket.

(2) The excess charge referred to in sub-secfon (1) shall be the actual fare for the distance referred to in that sub-section or a sum of rupees twenty, whichever is more.

Penalty for dereliction of duty.

11. If an employee of the Sikkim Transport whose duty is -

(1) to supply a ticket to a person travelling in a transport vehicle on payment of fare by such person, either wilfully or negligently,—

- (a) omits or refuses to accept the fare when tendered; or
- (b) omits or refuses to supply a ticket; or
- (c) supplies an invalid ticket; or
- (d) supplies a ticket of lesser value; or
- (e) supplies a tickets for shorter distance.

(2) to check any ticket, either wilfully or negligently omits or refuses to do so,

he shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to two hundred and fifty rupees or with both.

Power to remove persons from transport vehicles.

12. Any person, who travels or attempts to travel in a transport vehicle without having proper ticket with him or beyond the place authorised by his ticket or who, being inside a transport vehicle, fails or refues to present his ticket for examination when required to do so, may be removed from such vehicle by an employee of the Sikkim Transport or any other person whom such employee or other person may call to his aid unless he then and there pays the fare.

Obstructing employees of the Sikkim Transport or other authorised person in his duty.

13. If any person wilfully obstructs an employee of the Sikkim transport or any other person authorised under this Act, in the discharge of his duty, he shall be punishable with imprisonment for a term wich may extend to one month or with fine which may extend to two hundred and fifty rupees or with both.

Limits of personal luggage, etc.

14. (1) A passenger may carry with him in the transport vehicle without payment of any carriage charges a suit-case, trunk or bedding or bed-roll and such other articles as may be **prescribed** and upto such weight as may be **prescribed.**

(2) A passenger who carries with him any articles not specified in sub-section (1) or in excess of the prescribed weight shall book the same and obtain a carriage receipt therefor.

(3) Any passenger who contravences the provisions of sub-section (1) or sub-section (2) shall be liable to punishment which may extend to twice the amount of carriage charges from the place from which the luggage, goods or other articles are being carried to the place where those are intended to be carried or rupees one hundred whichever is more.

(4) The conductor and driver of the transport vehicle in which personal luggage, goods or other articles are being carried in contravention of sub-section (1) or sub-section (2) shall be liable to be punished with fine which may extend to rupees five hundred.

Fares payable by passenger.

15. (1) A passenger who has attained the age of twelve years shall pay the full fare as may be determined by the Government from time to time.

(2) No fare shall be charged from a passenger who is a child below the age of five years and is carried in the lap of the parent or other passenger.

(3) Fare at the rate of half of the fare determined under sub-section (1) may be charged in respect of children above the age of five but below the age of twelve years.

Ecxemptions and ooncessional rate of fares.

16. The Government may, by notification in the Official Gazette, declare any class or category of persons who may travel in a transport vehicle without payment of the fare or at such concessional fare as may be declared in that notification on such occasions as may be so declared.

Penalty for drunkenness.

17. If any employees is in a state of intoxication while on duty, he shall be punished with fine which may extend to two hundred and fity rupees and when the performance of any duty in such state is likely to endanger the safety of any person travelling in the transport vehicle, such employee shall be punished with imprisonment for a term which may extend to one year or with fine or with both.

Penalty for false returns.

18. If any Employee, required to furnish a return by or under this Act, signs and furnishes a return which is false in any material particular, he shall be punished with impresonment which may extend to one year or with fine which may extend to five hundred rupees or with both.

Entering transport vehicle without reservation or refusal to vacate the seat.

19. If any passenger -

(a) having entered a transport vehicle wherein no seat has been reserved for his use, or

(b) having unauthorisedly occupied a seat reserved for the use of another passenger,

refues to leave it when required to do so by any employee, any employee authorised by the Sikkim Transport in this behalf, may remove him or cause him to be removed with the aid of any other person from the transport vehicle or seat, and shall also be punished with fine which may extend to one hundred rupees.

Entering transport vehicle in motion or otherwise improperly travelling.

20. If any passenger enters or leaves, or attempts to enter or leave-

(a) any transport vehicle while it is in motion; or

(b) at a place other than a place declared by the Government as a Bus Stand or Bus Stop; or

(c) opens the door of any transport vehicle while it is in motion,

he shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to fifty rupees or with both.

Travelling on roof or steps.

21. If any passenger -

(a) travels on the roof of a transport vehicle; or

(b) persists in travelling -

(i) on the steps or foot-board of any transport vehicle; or

(ii) in any part of the transport vehicle not intended for the use by passengers,

even after being warned by an employee not so to travel, he shall be punished with imprisonment for a term which may extend to three months or with fine which may extend to one hundred and fifty rupees or with both and may be removed from the transport vehicle by any employee of the Sikkim Transport.

Altering or defacing of ticket.

22. If any passenger wifully alters or defaces his ticket or pass so as to render the date, number or any material portion thereof illegible, he shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to two hundred and fifty rupees, or with both and shall also forfeit the ticket or pass as altered or defaced.

Fraudulent travelling or attempt to travel on a used ticket.

23. (1) If any person with intent to defraud the Sikkim Transport uses or attempts to use a ticket which has already been used on a previous journey, he shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees.

(2) The person referred to in sub-section (1) shall, in addition to the payment of excess charge mentioned in sub-secton (3), be liable to pay -

(a) the ordinary single fare for the distance which he has travelled; or

(b) where there is any doubt as to the station from which he started, the ordinary single fare from the station from which the bus originally started; or

(c) if the tickets of passengers travelling in the transport vehicle have been examined since the original starting of the vehicle, the ordinary single fare from the place where the tickets were last examined; or

(d) in case of their having been examined more than once, the ordinary single fare from the place where the tickets were last examined.

(3) The excess charge referred to in sub-section (2) shall be a sum equal to the ordinary single fare payable under that sub-section or rupees twenty whichever is more.

(4) Where Sikkim Transport fails to prove any fraudulent intention under sub-section (1), it shall not preclude the Magistrate from passing an order that the person shall be liable to pay the ordinary single fare and the excess charge.

(5) Where a person fails or refuses to pay the excess charge and the ordinary single fare, the sum shall be recoverable as if it were a fine imposed by a Magistrate.

(6) Notwithstanding anything contained in section 75 of the Indian Penal Code, the Court imposing any fine of any sum recoverable as fine, may direct that the person in default of payment shall suffer imprisonment for a trm which may extend to three months. 45 of 1860.

(7) Out of any amount recovered under this section, the excess charge and the ordinary single fare shall be paid to the Sikkim Transport before any portion of that amount is credited as fine to the Government.

Penalty for transfer of ticket.

24. (1) If any person not being an employee or an agent authorised by the Sikkim Transport in this behalf -

(a) sells or attempts to sell any ticket; or

(b) parts or attempts to part with the possession of a ticket against which reservation of a seat has been made,

in order to enable any other person to travel therewith, he shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both and shall also forfeit the fare and the ticket which he may have sold or attempted to sell.

(2) If any person purchases any ticket referred to in clause (a) of sub-section (1) or obtains the possession of any ticket referred to in clause (b) of that sub-section from any person not being an employee or an agent authorised by the Sikkim Transport in this behalf, he shall be punished with imprisonment for a term which may extend to three months or with fine which may extend to two hundred and fifty rupees or with both and if a purchaser or holder of any ticket aforesaid travels or attempts to travel therewith, he shall forfeit the ticket which he may have purchased or obtained and shall be deemed to be travelling without having a proper ticket with him and shall be liable to be dealt with under section 10.

(3) Out of any amount recovered under this section, the sum representing the single fare therein, shall be paid to the Sikkim Transport before any portion of that amount is credited as fine to the Government.

Smoking.

25. (1) No person shall smoke in any transport vehicle if objected to by any passenger in that transport vehicle.

(2) Whoever contravenes the provisions of sub-section (1) shall be punished with fine which may extend to one hundred rupees.

Drunkenness or nuisance in transport vehicle or at Bus Stop.

26. If any person in any transport vehicle, or within the premises of any Bus Stop -

(a) is in state of intoxication; or

(b) commits any nuisance or act of indecency or uses abusive or obscene language; or

(c) wilfully or without excuse interferes with any amenity provided by the Sikkim Transport so as to affect the comfortable travel of any passenger,

he may be removed from such transport vehicle or Bus Stop by any employee and shall, in addition to the forfeiture of any fare which he may have paid and of any ticket which he may have purchased, be punished with fine which may extend to two hundred and fifty rupees.

Disobedience by bus driver or conductor of direction of an employee.

27. If any driver or conductor of any transport vehicle disobeys the reasonable directions of any employee or police officer, he shall be punished with imprisonment for a term which may extend to one month.

Carriage of goods.

28. The Sikkim Transport shall ensure that the goods entrusted to it for carriage are carried safely and within a reasonable time:

Provided that the Sikkim Transport shall not be liable to pay any compensation for any delay in transit.

Maintenance of of rates, etc. for carriage of goods.

29. The Sikkim Transport shall maintain at each place where goods, other passengers and their luggage, is received for carriage, the tariffs, distance tables, rate tables and a list of station to station rates for carriage of goods from such place and shall, during all reasonable hours, make them available for reference of any person without payment of any fee.

30. The Sikkim Transport may impose conditions, not inconsistent with this Act or any rule made thereunder, with respect to the receiving, accepting, booking, loading, forwarding, carrying or delivery of any goods. **Power to impose condition.**

31. Every consignor or his agent entrusing any goods to the Sikkim Transport for carriage by it shall execute a forwarding note in such form as may be prescribed and different forms of forwarding notes may be prescribed for carriage of different categories of goods. **Forwarding Note.**

32. No person shall consign or carry such offensive or dangerous goods as may be prescribed in or upon a transport vehicle of the Sikkim Transport. **Prohibition against carriage of offensive or dangerous goods.**

33. (1) Every employee of the Sikkim Transport shall weigh or cause to be weighed the goods consigned for carriage or to be carried in or upon a transport vehicle of the Sikkim Transport, before issuing carriage receipt and shall enter the weight of the goods in such receipt . **Power of employee to weigh the goods.**

(2) Any employee who suspects that the weight of the goods has not been correctly entered in the carriage recieipt, may have the goods re-weighed.

34. The Sikkim Transport may keep the goods at destination station for such time as may be prescribed and may charge such demurrage or wharfage charges as may be prescribed. **Power to realise demurrage charges, etc.**

35. Where the consignor, consignee or endorsee fails to take delivery of the goods within the prescribed time, the Sikkim Transport may dispose of the goods by public auction in such manner as may be prescribed. **Power of disposal of goods which remain undelivered.**

36. Except in case of goods for which the carriage charges are required to be paid at the time of booking, such carriage charges may be paid either at the time of booking of the goods or at the time of taking delivery of such goods. **Payment of carriage charges.**

37. Where due to any cause beyond the control of the Sikkim Transport or due to other operational reasons, goods are carried over a route other than the route by which they are ordinarily carried, the Sikkim Transport shall not be deemed to have committed a breach of the contract of carriage by reason only of such deviation of route. **Deviation of route.**

38. The Sikkim Transport shall deliver the goods at destination only on the surrender of the original carriage receipt issued to the consignor or his agent at the place where the goods were booked. **Surrender of carriage receipt.**

39. (1) The Government may by general or special order, specify the maximum weight of the goods and the maximum number of passengers that may be carried in a transport vehicle and different weights and number of passengers may be specified for different types of transport vehicles and for different routes. **Maximum carrying capacity of transport vehicle.**

(2) The weight of goods and number of passengers to be carried by a transport vehicle specified under sub-section (1) shall be displayed at a conspicous place in or outside the vehicle.

(3) Any employee who takes or allows to be taken in a transport vehicle goods or passengers in excess of the weight or number specified under sub-section (1) shall be punishable with fine which may extend to one hundred rupees.

40. (1) No employee shall carry or caused to be carried passengers in a transport vehicle intended for carrying of the goods in excess of the number declared by the State Government from time to time. **Carrying passengers in vehicle for carriage of goods.**

(2) Any person who contravens the provisions of sub-secton (1) shall be punishable with fine which may extend to one hundtred rupees.

Magistrate having jurisdiction under the Act.

41. No Magistrate other than a Judicial Magistrate of the first class shall try an offence punishable under this Act.

Cases to be tried summarily.

5 of 1898.

42. In the trial of offences punishable under this Act, the Magistrate shall follow the procedure laid down in the Code of Criminal Procedure, 1898, for trial of offences in a summary way.

Excess charge to be paid the Sikkim Transport

43. Any amount recovered by way of excess charge under this Act shall be paid to the Sikkim Transport.

Overriding effect of the Act.

44. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law.

Power to make rules.

45. (1) The State Government may, by notification in the Official Gazette, make rules for giving effect to the provisions of his Act.

(2) Without prejudice to the generality of the foregoing sub-section, such rules may provide for all or any of the following matters, namely:—

(a) the excess charge under section 9 (2);

(b) the articles that a passenger may carry without payment of carriage caharges and the weight of such articles;

(c) the form of the forwarding note under section 31;

(d) the offensive or dangerous goods which may not be carried in or upon a transport vehicle;

(e) the free time for which the goods may be kept at the destination stations and the demurrage and wharfage charges;

(f) the manner of disposal of goods by public auction under section 35;

(g) any other matter which is required to be or may be prescribed.

By Order of the Governor,

B. R. PRADHAN,
Secretary to the Government of Sikkim,
Law Department,
F. No. 16(137)LD/88.

PRINTED AT THE SIKKIM GOVERNMENT PRESS

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 115 Gangtok, Wednesday July 3, 1985.

GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK

Notification No. 9/LD/198 Dated the 29th June, 1985.

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 28th day of June, 1985, is hereby published for general information:—

THE SIKKIM NATIONALISED TRANSPORT (PREVENTION OF TICKETLESS TRAVEL AND MISCELLANEOUS PROVISIONS) AMENDMENT ACT, 1985.

(ACT NO. 9 OF 1985)

AN

ACT

to amend the Sikkim Nationalised Transport (Prevention of Ticketless Travel and Miscellaneous Provisions) Act, 1981.

Be it enacted by the Legislative Assembly of Sikkim in the Thirty-sixth Year of the Republic of India as follows:-

1. (1) This Act may be called the Sikkim Nationalised Transport (Prevention of Ticketless Travel and Miscellaneous Provisions) Amendment Act, 1985. *Short title and commencement.*

(2) It shall come into force at once.

2. In the Sikkim Nationalised Transport (Prevention of Ticketless Travel and Miscellaneous Provisions) Act, 1981 (hereinafter referred to as the "principal Act"), in section 2, in sub-section (14), for the word "goods" the words "suitcase, trunk or other baggage" shall be substituted. *Amendment of section 2.*

3. In the principal Act, in section 9, after sub-section (2), the following sub-section shall be inserted, namely:- *Amendment of section 9.*

"(3) The Sikkim Transport or any officer authorised to inspect a transport vehicle carrying goods shall be entitled to collect the excess charge and actual fare as specified in sub-section (2) on the spot and at the time of inspection. The goods are liable to be detained till the payment of the excess charge and such other charges to be levied by the Sikkim Transport."

4. In the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:- *Amendment of section 10.*

"(2) The excess charge referred to in sub-section (1) shall be the actual fare for the distance referred to in that sub-section or a sum of rupees twenty, whichever is more. The excess charge shall be payable to the inspecting employee at the spot of inspection along with the actual fare.

Explanation.- Where there is any doubt at the stage from which he started for purposes of calculating the excess charge, the fare from the stage from which the transport vehicle originally started for from the place, if any, where the tickets are last examined to the place where he was detected to be travelling without tickets shall be deemed to be the distance which he has travelled.

Amendment of section 11.

5. In the principal Act, in section 11, to sub-section (2), the following Explanation shall be added, namely:-

"*Explanation*.- The words "ticket and fare" in this section mean and include luggage, tickets, consignment note, fare or luggage charges respectively."

B. R. PRADHAN,
Secretary to the Govt. of Sikkim,
Law Department.
F. No. 16 (137) LD/81.

THE SUBSEQUENT AMENDMENT TO THE SIKKIM NATIONALISED TRANSPORT (PREVENTION OF TICKETLESS TRAVEL AND MISCELLANEOUS

PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK

SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
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Gangtok | Monday 8th September, 2008 | No. 389

GOVERNEMNT OF SIKKIM
LAW DEPARTMENT
GANGTOK

No. 26/LD/P/2008 Date: 23.08.2008

NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly and having received the assent of the Governor on the 4th day of August, 2008 is hereby published for general information:-

THE SIKKIM NATIONALISED TRANSPORT (Prevention of Ticketless Travel and Miscellaneous Provisions) (Amendment) Act, 2008 (Act No. 26 of 2008)

AN
ACT

further to amend The Sikkim Nationalised Transport (Prevention of Ticketless Travel and Miscellaneous Provisions) Act 1981.

***Be* it enacted by the Legislature of Sikkim in the Fifty-ninth Year of the Republic of India as follows:-**

CHAPTER I

PRELIMNARY

Short title, extent and commencement.

1. (1) This Act may be called The Sikkim Nationalised Transport (Prevention of Ticketless Travel and Miscellaneous Provisions Amendment Act, 2008.

2 It extends to the whole of Sikkim.

3 It shall come into force on such date as the State Government may by Notification in the Official Gazette appoint.

Amendment of Section 9.

2. In The Sikkim Nationalised Transport (Prevention of Ticketless Travel and Miscellaneous Provision) Act, 1981, (herein referred to as the said Act), in sub-section (2) of Section 9, the words "or rupees one hundred whichever is more" appearing after the word "prescribed" shall be omitted.

Amendment of Section 10.

3. In the said Act, in sub-section (2) of Section 10, for the words "referred to in that sub-section or a sum of rupees twenty," the words " ex originating station to the destination or a sum of rupees fifty" shall be substituted.

Amendment of Section 11.

4. In the said Act in Section 11, after sub-section (2), the following sub-section shall be inserted namely.- (3) " if an employee (Drivers/Conductors) of The Sikkim Nationalised Transport while performing his duties commits the offence as provided under sub-section (1), he shall be liable to pay the fare two times more than the actual fare from originating station to the destination in the first offence. On repetition of such offence for second and third instances, such penalty shall be three and five times more respectively. If the same offend is repeated beyond three times, disciplinary action against the concerned official shall be initiated as per the provision of The Sikkim Government Servants' (Discipline and Appeal) Rules,1985 and The Sikkim Government Servants' Conduct Rules,1982."

Amendment of Section 12.

5. In the said Act, in Section 12, after the word "pays", and before the words " the fare", the words " double the amount of actual fare from the station of origin to the destination of service or rupees fifty whichever is more" shall be inserted.

BY ORDER.

R.K. PURKAYASTHA (SSJS)
LR-cum-SECRETARY
Law Department

File No. 16 (82)/LD/P/2008

THE SUBSQUENT AMENDMENTS TO THE SIKKIM NATIONALISED TRANSPORT (PREVENTION OF TICKETLESS TRAVEL AND MISCELLANEOUS PROVISIONS) ACT,1981 AMENDED AND UPDATED UP TO SEPT-2008

S.G.P.G. - 389/ Gazette /150 Nos./Dt:- 8.9.2008.